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US Army Corps of Engineers

PUBLIC NOTICE

APPLICATION FOR PERMIT

LOS ANGELES DISTRICT

Public Notice/Application No.: 200400556-RRS
Comment Period: 02/04/2004 through 03/07/2004
Project Manager: Robert R. Smith Jr., P.E.

Applicant
Mike Gow
(909)765-3712
City of Hemet
3777 Industrial Ave.
Hemet, California 92545

Contact
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David Moskovitz
(949) 837-0404

Location
The project site is located along State Street in the City of Hemet, Riverside County, approximately two miles south of Highway 74 [Exhibit 1]. The project includes an approximately 1.5 mile segment of State Street between Chambers Street and Domenigoni Parkway/Gibbel Road and an approximately 1,950 linear-foot segment of the Salt Creek Extension occurring west of State Street [Exhibit 2].

Activity
The City of Hemet proposes to widen an approximately 1.5-mile segment of State Street between Chambers Road and Domenigoni Parkway, and implement various drainage improvements in order to eliminate flooding that causes the frequent closure of State Street during the rainy season. The project area contains three drainage features totaling 1.64 acres of non-wetland waters of the United States [Exhibit 3], including an approximately 1,950 linear-foot segment of the Salt Creek Extension, the Pepper Creek drainage ditch, and a roadside ditch (State Street ditch) that extends along the east side of State Street. All three drainage features are ephemeral and are either un-vegetated or are dominated by ruderal vegetation. None of these features support jurisdictional wetlands and/or riparian habitat.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision.

This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch
ATTN: CESPL-CO-
P.O. Box 532711
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: rsmith@spl.usace.army.mil

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. An application has been submitted to the Santa Ana Regional Water Quality Control Board and is currently under review.

Coastal Zone Management- This project is located outside of the coastal zone and will not affect coastal zone resources.

Cultural Resources-The City of Hemet General Plan indicates the presence of known cultural sites in the vicinity of the project. The soil has lost its surface integrity in terms of cultural resources due to past agricultural practices. However, there is a potential for sub-surface cultural resources to be uncovered during project construction. In addition, since the project site is located on a relatively flat alluvial valley (at the base of the San Jacinto Mountains to the east and the Domenigoni Mountains to the south), there is a high potential for the project site to contain vertebrate and invertebrate fossils that were deposited with the alluvium in past flood events.

Mitigation measures will ensure that there will be no adverse impacts to cultural or archeologic al resources. These measures include the following: 1) a qualified paleontologist shall conduct periodic monitoring during excavations to observe and retrieve any buried fossils that may be uncovered; 2) in the event that any paleontologic/ archaeologic resource is uncovered during grading or construction, ground-disturbing activities in the vicinity of the find shall be redirected until the find can be evaluated by a qualified paleontologist/archaeologist; 3) all recovered fossils shall be prepared, identified, and curated by a qualified paleontologist; and 4) upon completion of grading, a summary report shall be prepared documenting the mitigation measures and results, with an itemized inventory of collected specimens.

The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources within the subject property.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time. The applicant has submitted surveys to the Corps that indicate that no listed or threatened species are onsite but we shall continue our review once we receive comments.

Public Hearing-Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

According to the applicant's consultant the proposed project would require the permanent placement of fill within 0.53 acre of non-wetland waters of the United States for the purpose of widening State Street and conducting associated drainage improvements. In addition, the proposed project would require the temporary placement fill in another 1.11 acres of non-wetland waters of the United States for the purpose of conducting the drainage improvements. The project contains three drainages and impacts to the jurisdictional drainages.

The Pepper Creek drainage ditch extends for approximately 2,340 linear feet, originating as runoff from State Street and terminating at the uppermost portion of the Salt Creek Extension. For a portion of its length the ditch occurs on private property. Approximately 0.09 acre of jurisdiction is associated with the on site portions of the drainage ditch. The drainage ditch does not support any jurisdictional wetlands. The widening of State Street and the construction of the box culvert at State Street will permanently impact approximately 0.02 acre of jurisdiction associated with the drainage ditch. There will be no temporary impacts to this feature.

The State Street drainage ditch is a roadside ditch that enters the project area at the intersection of State Street and Domenigoni Parkway, and extends north for approximately 3,270 linear feet along the east side of State Street. Approximately 0.46 acre of jurisdiction is associated with the ditch, none of which support jurisdictional wetlands. For the majority of its length, the roadside ditch is incised in order to convey water along the east side

of State Street. However, as it extends north, the ditch becomes less incised and eventually becomes level with the road surface. From this point, storm flows flood State Street and spill over into the Salt Creek Extension. The proposed widening of State Street will result in the permanent filling of the existing roadside ditch (0.46 acre). A new drainage ditch will be constructed immediately east of proposed road alignment and will connect to the box culvert to be constructed under State Street for the purpose of conveying flows directly into the Salt Creek Extension. The proposed roadside ditch will have a three-foot-wide channel with a soft bottom and the immediate banks will be earthen.

State Street is a major north-south regional facility in the San Jacinto Valley, with traffic flows exceeding 15,000 Average Daily Traffic (ADT) through the Hemet City limits. Currently, the segment to be improved consists of just two lanes, and a lack of adequate drainage facilities results in seasonal flooding that causes the frequent closure of the road during the rainy season. The proposed project would widen State Street to four lanes and construct appropriate drainage facilities to eliminate seasonal flooding.

The Metropolitan Water District of Southern California (MWD) identifies State Street as a major access-point to the Eastside Reservoir and its recreation areas. State Street is directly adjacent to the planned East Recreation Area and will have direct access to it. Therefore, in addition to the current demand from existing traffic and from traffic created by other future development, the Eastside Reservoir will also contribute significant additional traffic to the roadway. It is therefore vital that State Street be improved to an all-weather, four-lane section between the recreation areas of Eastside Reservoir and Stetson Avenue (a major east-west road for traffic in the City of Hemet). The improvements proposed by the City of Hemet would extend MWD improvements south of Domenigoni Parkway to tie in with the existing four-lane section at Chambers Street.

The drainage improvements proposed by the City of Hemet are designed to accommodate storm water flows from the Santa Rosa Hills (via Avery Canyon) that ultimately enter the Salt Creek Extension, as well as State Street runoff that flows into the Pepper Creek drainage ditch from areas northeast of Chambers Street and State Street. Currently flows that flood State Street spill over into what is the start of the Salt Creek Extension (which ultimately connects to Salt Creek). These flows cause erosion of the western side of State Street at the start of the Salt Creek Extension. In order to eliminate the flooding of State Street to ensure its all-weather use, the City proposes to construct a box culvert at State Street that would collect flows from the east side of State Street and place them into the Salt Creek Extension. In addition, the City proposes to improve the Salt Creek Extension by widening the channel and stabilizing portions of the reconstructed banks.

At the intersection of Chambers Street and State Street, the City proposes to construct new storm drains to collect sheet flows originating northeast of the intersection. A new flood channel and detention basin would be constructed in an upland agricultural field located southwest of the intersection. Flows entering the new storm drains would outlet into the flood channel and would be conveyed to the detention basin. The detention basin would be constructed to connect with the improved portion of the Salt Creek Extension.

The State Street Road and Drainage Improvements project will permanently impact approximately 0.53 acre of non-wetland waters of the United States and temporarily impact another 1.11 acres of non-wetland waters of the United States (1.64 acres total). All impacts would be associated with the three ephemeral drainage features, including the Salt Creek Extension, the Pepper Creek drainage ditch, and the roadside drainage ditch that extends along the east side of State Street. No wetlands would be impacted by the proposed activity.

The Salt Creek Extension extends for approximately 1,950 linear feet within the project area, originating as road runoff and flooding from the east side of the road and extending west towards Salt Creek. Within the project area, approximately 1.16 acre of jurisdiction is associated with the Salt Creek Extension, none of which supports jurisdictional wetlands. The majority of impacts to the drainage will be temporary (1.11 acres) as a result of widening the channel and reconstructing the banks. The proposed detention basin (to be constructed in uplands)

will connect with the Salt Creek Extension at its northern edge. This connection point is considered as part of the temporary impacts. Currently, the channel of the Salt Creek Extension is approximately seven to 28 feet wide. The low-flow areas are mainly unvegetated and the high flow areas and banks are vegetated predominately with non-native grasses and other herbs. Following the drainage improvements, the re-created channel will be 40 to 100 feet wide and will have a soft-bottom. The banks will be re-constructed with 2:1 slopes and will have portions covered with un-grouted riprap. Approximately 1,150 linear feet of the banks will be constructed with riprap, while the remaining 800 linear feet will be earthen. The remainder of the impacts to the drainage (0.05 acre) will be permanent due to the construction of a box culvert under State Street that will occupy a the uppermost portion of the drainage.

The following table summarizes Corps jurisdiction according to the applicant's consultant associated with the project area as well as the proposed impacts. The Corps has not field verified the delineation or impacts analysis.

	Pepper Creek Ditch	**Salt Creek Extension**	**State Street Ditch**	**Total**
Existing Corps Jurisdiction (Acres)	0.09	1.16	0.46	1.71
Proposed Impacts (acres)				
Permanent	0.02	0.05	0.46	0.53
Temporary		1.11		1.11
Total	**0.02**	**1.16**	**0.46**	**1.64**

Purpose and Need

The overall purpose is to improve transportation and flood control capacity of the existing State Street roadway. The basic project purpose is transportation and is not water dependent. The need for the project is to improve a currently unimproved segment of State Street in order to ensure its all weather use. Improving State Street will provide a health and safety benefit to the public by bringing the road up to code and eliminating flooding that frequently occurs during the rainy season. The proposed flood-improvements will create new drainage facilities and improve existing inadequate facilities so that all facilities will accommodate a 100-year storm event.

The project will also provide important economic benefits to the City of Hemet. The project serves as a critical transportation link to the Eastside Reservoir East Recreation Areas. The Eastside Reservoir Project (and its associated recreation areas) is currently under construction by MWD. The Reservoir has been identified in economic studies as attracting an expected 1.9 million annual visitors, contributing about 32 million dollars to the local economy, and creating 1,000 local jobs. The enhancement of the link between the Reservoir area and the City of Hemet proper is crucial to the future economic well being of the Hemet community, and the quality of life of its citizens. This roadway project will also significantly stimulate economic development in the undeveloped areas adjacent to the Reservoir, since it will provide a substantially enhanced link between these areas and the developed portions of the Hemet/San Jacinto area.

Additional Project Information

Existing Conditions

The project boundaries encompass the following areas: an approximately 1.5-mile segment of State Street extending north-south from Chambers Street to Domenigoni Parkway; an approximately 1,950 linear-foot segment of the Salt Creek Extension (originating at State Street and extending west towards Salt Creek); the Pepper Creek drainage ditch (originating at State Street just south of Chambers Street extending south through a private parcel before terminating at the Salt Creek Extension); and a regularly-disked agricultural field located west of State Street and north of the Salt Creek Extension.

The entire project area is either highly disturbed or developed. The undeveloped areas consist predominately of disked agricultural fields. No native plant communities occur within the project area. The agricultural field supports non-native herbaceous vegetation such as London rocket (*Sisymbrium irio*), lamb's quarters (*Chenopodium album*), dwarf nettle (*Urtica urens*), and cultivated barley (*Hordeum vulgare*). The portion of the Salt Creek Extension to be affected consists of an unvegetated low-flow channel and high-flow areas vegetated with ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis* ssp. *rubens*), slender wild oat (*Avena barbata*), common fiddleneck (*Amsinckia menziesii* var. *intermedia*), filaree (*Erodium* sp.), and annual sunflower (*Helianthus annuus*). The roadside drainage ditch to be affected consists of an unvegetated channel. The immediate banks support Russian thistle (*Salsola tragus*), Palmer's pigweed (*Amaranthus palmeri*), annual bur-weed (*Ambrosia acanthicarpa*), summer mustard (*Hirschfeldia incana*), and common sunflower. No wetlands and/or riparian vegetation occur within the project area.

Proposed Impacts and Mitigation

The area of non-wetland waters of the United States to be affected by the proposed project (including 0.53 acre of permanent impacts and 1.11 acres of temporary impacts) totals approximately 1.64 acres of un-vegetated, ephemeral drainages, including the Salt Creek Extension, the Pepper Creek drainage ditch, and the State Street drainage ditch.

Following the widening of the Salt Creek Extension, the construction of the new flood channel and detention basin, and the construction of the new State Street ditch, the soft-bottom area associated with these features will total approximately 12.5 acres. This will be an increase of 10.86 acres compared with the 1.64 acres of soft-bottom channel to be permanently and temporarily impacted by the project (more than a 7 to 1 ratio of increase). Currently, the jurisdictional areas associated with the three drainage features are either unvegetated, or are vegetated predominately with non-native ruderal species. Therefore, the proposed activity will not result in the temporal loss of habitat or the loss of function associated with the drainages. In fact, the substantial increase in soft-bottom areas as a result of the project will result in an increase in overall function and benefit to water quality, including increased energy dissipation, increased flood control function, and decreased erosion and downstream sedimentation. As a result of the increased benefits, the project proponent maintains that the project shall be self-mitigating and will not require additional mitigation. The Corps may require mitigation based on comments and subsequent evaluation of the project.

Project Alternatives

The analysis of alternatives for the proposed road widening and drainage improvement project is presented in two stages. On site alternatives for the proposed project are discussed in the first stage and the potential for off site alternatives are discussed next.

ON SITE ALTERNATIVES

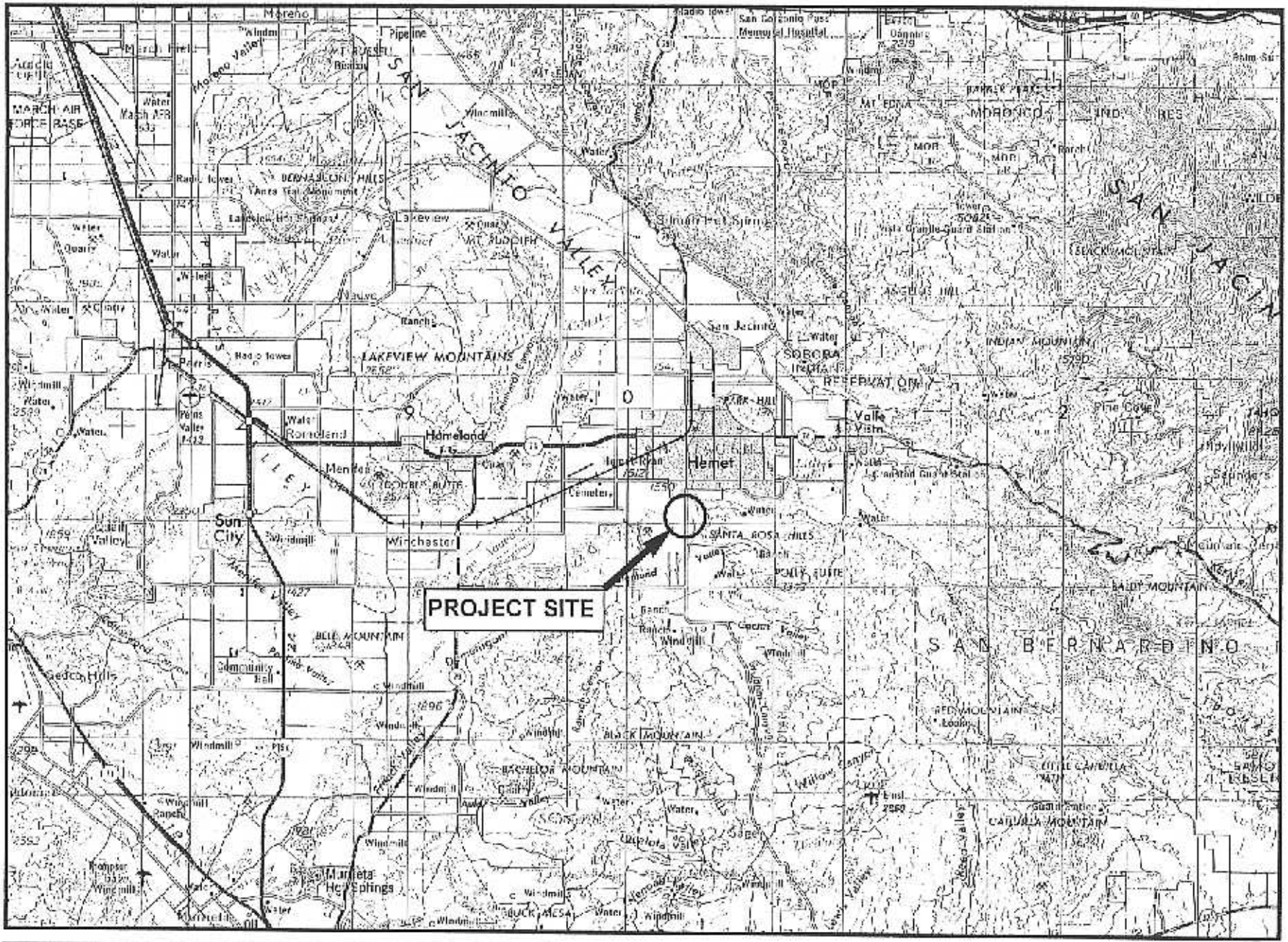
The project purpose is to widen the existing segment of State Street and implement drainage and flood control improvements in order to ensure all-weather access to the roadway. Since the project is water dependent, it is not possible to conduct the project without impacting waters of the United States. With respect to permanent impacts, the majority of permanent impacts involve the filling of the roadside ditch along State Street. Since the road is proposed for widening within the City's existing right-of-way, the road cannot be relocated to avoid the roadside ditch. Therefore, it is not possible to widen the road without impacting the drainage ditch.

Since complete avoidance is not possible, a No Action alternative is infeasible and will therefore not be considered. Furthermore, the applicant maintains that since the preferred project will not result in the loss of habitat, but will instead result in an increase in overall function and provide benefits to water quality, the preferred project may result in greater benefits to the aquatic environment than under existing conditions. Additional on site alternatives shall be considered and the Corps may require that an analysis be provided if comments indicate such a need.

OFF SITE ALTERNATIVES

Since the purpose of the project is site specific (i.e., the widening of State Street and implementation drainage and flood control improvements), the Corps has not required an offsite alternatives analysis that would achieve the overall project purpose. Therefore, an analysis of offsite alternatives may be not required. If the Corps receives comments that an offsite alternatives should be performed then the Corps may requires such an analysis.

For additional information please call Robert R. Smith Jr., P.E. of my staff at (213) 452-3419. This public notice is issued by the Chief, Regulatory Branch.

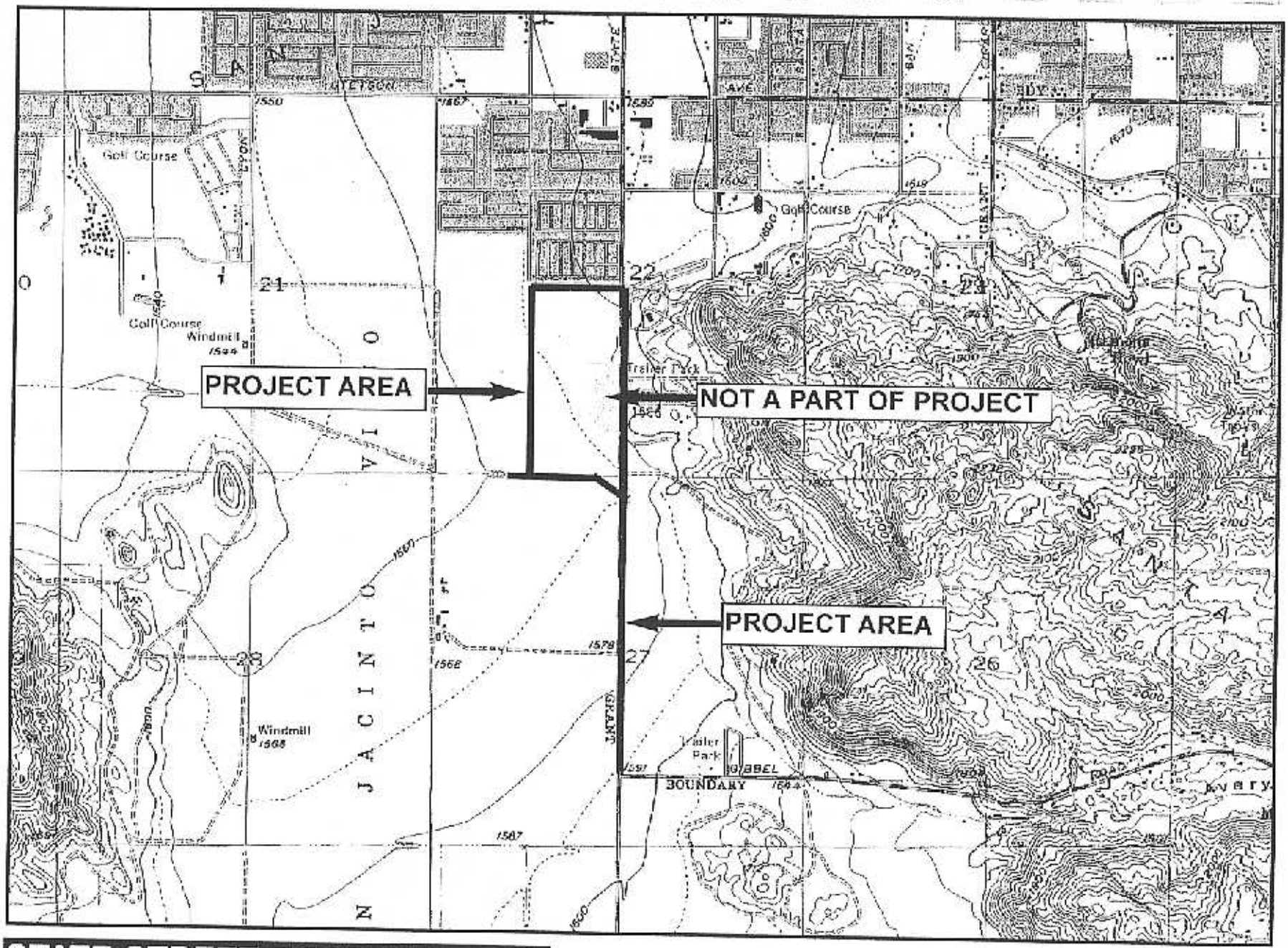


STATE STREET ROAD AND DRAINAGE IMPROVEMENTS

Regional Map

GLENN LUKOS ASSOCIATES

EXHIBIT 1



Adapted from TOPO!
National Geographic Holdings (www.topo.com)

STATE STREET ROAD AND DRAINAGE IMPROVEMENTS

Vicinity Map

GLENN LUKOS ASSOCIATES

EXHIBIT 2

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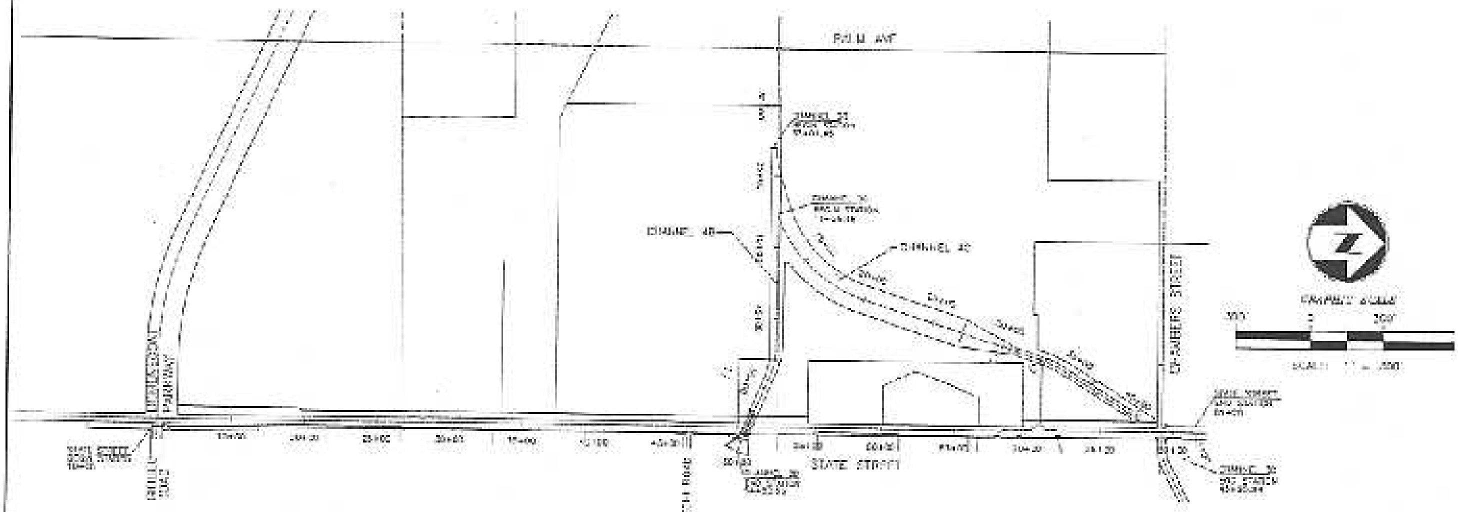

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CITY OF HEMET

City of Hemet
INDEX MAP